IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

T. Erik Mirkov et al.

Serial No.:

10/751,612

Filed:

January 5, 2004

Group No.:

1638

Examiner:

Elizabeth F. McElwain

Notice of Allowance Mailed: April 10, 2007

Confirmation No.:

2393

Title:

STEM-REGULATED, PLANT DEFENSE PROMOTER AND

USES THEREOF IN TISSUE-SPECIFIC EXPRESSION IN

MONOCOTS

Mail Stop Issue Fee

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO REASONS FOR ALLOWANCE

Applicants appreciate the Examiner's allowance of Claims 1, 3-14, and 16-34. Pursuant to 37 C.F.R. § 1.104, Applicants respectfully issue a statement commenting on the Examiner's reasons for allowance. Applicants respectfully disagree with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicants do not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

> Respectfully submitted, BAKER BOTTS L.L.P. Attorneys for Applicants

Bradley P. Williams Registration No. 40,227

Date: July 10, 2007

CUSTOMER NO. 05073

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